

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

NEVAREZ LAW FIRM, P.C.,

Plaintiff,

v.

DONA TITLE COMPANY et al.,

Defendants.

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CIVIL ACTION NO. 3:15-cv-00297-DB

**DEFENDANTS', ARACELI HERRERA, JOSE LUIS ROJAS, JOSE LUIS ROJAS, JR.,
TOMASA R. ROJAS, GABRIELA JAYME, MARCO AURELIO JAYME, MARIANA
JAYME, TATIANA JAYME, VIVIANA JAYME, PAUL ZACOUR AND ZACOUR AND
ASSOCIATES, INC. OPPOSED MOTION TO EXTEND TIME TO RESPOND TO
PLAINTIFF'S FIRST AMENDED COMPLAINT**

Defendants Araceli Herrera, Jose Luis Rojas, Jose Luis Rojas, Jr., Tomasa R. Rojas, Gabriela Jayme, Marco Aurelio Jayme, Mariana Jayme, Tatiana Jayme, Viviana Jayme, Paul Zacour, and Zacour and Associates, Inc. (collectively, "Defendants") respectfully move this Court for an extension of time to answer or otherwise respond to Plaintiff's First Amended Complaint, and would submit the following:

1. Plaintiff, Nevarez Law Firm, P.C. filed its First Amended Complaint ("Complaint") on April 26, 2016. (Doc. No. 17) The Defendants were served with a copy of the Complaint on various dates between July 15, 2016 and July 20, 2016. (*See* Doc Nos. 44, 47, 51, 52, 57, 58, 59, 61, and 62) The deadlines for Defendants to respond to the Complaint und Fed. R. Civ. P. 12(a)(1)(A)(i) are between August 4, 2016 and August 10, 2016.

2. The Complaint is over three-hundred pages long and contains nearly four-hundred numbered paragraphs. (*See* Doc. No. 17) Defendants are mainly individuals including three minor children (Gabriela Jayme age 16, Mariana Jayme age 14, and Jose Luis Rojas, Jr. age 9) with limited resources and as such, it will require considerable time and effort to evaluate the

Complaint and respond according the federal pleading standards. *See* FED. R. CIV. P. 8(b),12(b).

3. Defendants respectfully request an extension of time to respond appropriately to the Complaint until September 15, 2016.

4. Prior the filing of this motion, the undersigned counsel conferred with Michael R. Nevarez, counsel for Nevarez Law Firm, P.C. Mr. Nevarez advised that he is unopposed to an extension of time to respond until September 10, 2016, but that he opposes an extension until the 15th of September, 2016.

WHEREFORE, PREMISES CONSIDERED, Defendants respectfully request the Court grant them an extension to answer or otherwise respond to Plaintiff's First Amended Complaint until the requested deadline, and for such other and further relief to which they may be entitled.

Respectfully submitted,

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By: /s/ Michael J. Zimprich
Michael J. Zimprich
State Bar No. 24066710

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

Counsel for Defendants has conferred with Plaintiff's counsel, who is unopposed of an extension of time to respond to the pleading until September 10, 2016 but opposes the requested deadline of September 15, 2016.

/s/ Michael J. Zimprich
Michael J. Zimprich

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of August, 2016, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, and electronic notification of such filing was sent to the following:

Michael R. Nevarez
THE LAW OFFICES OF MICHAEL R. NEVAREZ
5915 Silver Springs Drive
Building 6, Suite B El Paso, Texas 79912

By: /s/ Michael J. Zimprich
Michael J. Zimprich